United Nations CRPD/C/SR.315

Convention on the Rights of Persons with Disabiiities

Distr.: General
18 April 2017

Original: English

Committee on the Rights of Persons with Disabilities
Seventeenth session

Summary record of the 315th meeting
Held at the Palais des Nations, Geneva, on Friday, 31 March 2017, at 10 a.m.

Chair: Ms. Degener

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by parties to the Convention under article 35 *(continued)*

Initial report of Honduras (continued) (CRPD/C/HND/1; CRPD/C/HND/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Honduras took places at the Committee table.*

Articles 11–20

2. **Ms. Alvarado** (Honduras), responding to questions put at the previous meeting, said that the Government was seeking through the "Honduras for All" programme, launched in 2016, to enable all persons with disabilities to live independently and enjoy extensive mobility by supporting individuals' autonomy and integration into society. Thus far, some 12,000 persons with disabilities had benefited from activities under the programme. Particular attention was paid to the issue of accessible infrastructure. The "Honduras for All" programme was associated with the "Better Living" programme, which was a rights-based initiative intended to improve conditions for people living in poverty or in situations of vulnerability. Under those programmes, in 2016 nearly 200 accessible housing units had been built for persons with disabilities, and such efforts would continue.

3. The new health-care model introduced by the Ministry of Health ensured that, when necessary, primary care could be provided for persons with disabilities in their homes, in the presence of their families. Health-care professionals were thus brought closer to the communities they served and were gaining better knowledge of their needs. State health programmes featured decentralized and integrated services. Pursuant to a cooperation agreement between the Ministry of Social Development and Inclusion and the National Commission for Housing and Human Settlements, a health-care voucher programme had been established for indigenous and afro-Honduran communities and 98 new housing units had been constructed for persons with disabilities in two municipalities.

4. Sustainable Development Goal 11 called for cities to be inclusive, safe, resilient and sustainable. Accordingly, access to basic services, transport and housing must be guaranteed, including for persons in vulnerable situations, which was also in line with article 9 of the Convention. Progress in ensuring access had been limited in Honduras. The Government had, however, made access to mobility and transport top priorities, and the various government services responsible for transportation were currently articulating strategies with local authorities. They had also drawn up protocols to assist persons in situations of vulnerability, such as women and child migrants and persons living with disabilities who were forced into begging or were victims of trafficking or sexual exploitation.

5. The Code on Children and Adolescents established protection mechanisms for children in vulnerable situations, including children with disabilities. If it was determined that a child's rights were being violated, as in the case of a child forced into begging, the authorities were able to take emergency protection measures. Such measures included urging the child's parents or legal guardians to correct their behaviour; taking administrative measures to protect the child within the nuclear family unit; or, if the child had been abandoned, placing him or her in an adoptive family, with an accredited foster family or with relatives from the extended family. The overarching aim of such measures was to avoid institutionalization of the child. As a last resort, children were sometimes placed in institutions approved and regularly monitored by the Department for Children, Youth and Families. In any event, such measures were taken by decision of the authorities on a temporary basis only, pending reunification of the child with the nuclear or extended family. The Criminal Code provided penalties of from 3 to 6 years' imprisonment for the economic exploitation of children, with more stringent sentencing in the event of aggravating circumstances, including the exploitation of children under the age of 12 or children with disabilities, or a link with human trafficking.

6. In cases of abuse by parents, neighbours or close relatives, the Department for Children, Youth and Families coordinated its work with prosecutors. It immediately removed the child from the environment in question, and hearings were subsequently held with the primary aim of protecting the rights of the child. A guide provided instructions on how to deal with such situations. In extreme cases, where the parents were incapable of performing their role, the child could be placed for protection with a non-governmental organization (NGO) until another solution was found. Reports of abuse could be filed by acquaintances, family members or school personnel and could be anonymous. The Department was only able to respond when reports were officially filed by public or private institutions.

7. **Mr. Alvarenga Urbina** (Honduras) said that a reform process was under way to eliminate pejorative terms and non-inclusive language remaining in the country's laws. *Inter alia*, Congress had before it a bill, proposed on the initiative of civil society, to amend the Act on Equity and Comprehensive Development for Persons with Disabilities. The staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Honduras had been asked for comments and observations during the drafting of the bill so as to help ensure that it would be in line with the Convention. In particular, provisions had been included prohibiting denial of reasonable accommodation and characterizing it as a form of discrimination.

8. The review of Honduran legislation would bring about a paradigm shift with respect to the definition and exercise of legal capacity, thus facilitating the filing of claims by persons with disabilities. The reform of the Criminal Code would ensure that deprivation of liberty could be imposed only for acts that constituted offences, and only within the limits established by the sentencing guidelines, subject to periodic review by judges. Committal to a psychiatric hospital was a last resort. Mario Mendoza Hospital did not admit any individuals from prison facilities. Santa Rosita Hospital currently housed about 30 individuals who were subject to security measures handed down by the courts. He looked forward to seeing the Committee's recommendations on such questions and would do his best to ensure that its views were taken into account in the reform process.

9. **Ms. Corrales** (Honduras) said that the Public Prosecution Service had a Special Prosecutor for Human Rights, who ensured that the authorities in places of deprivation of liberty respected the legal provisions protecting the rights of individuals in custody. More generally, persons with disabilities were able to report violations of their rights to the Public Prosecution Service, either directly or through third parties such as family members or civil society organizations. The Service had staff trained in sign language interpretation, and some 45 of its officials had undergone training, including sign language instruction, to improve their performance when dealing with cases involving persons with disabilities. The Service had in February 2017 launched an outreach programme to improve respect for persons with disabilities, using radio, television and social media. It was currently investigating 10 cases involving violations of the rights of persons with disabilities. Thus far, there had been no cases of denial of access to justice for persons with disabilities.

10. In the event of violence against women or children with disabilities, the State provided shelters and an emergency hotline for reporting cases. Women with disabilities who were subjected to sexual abuse were able to bring cases before the Office of the Special Prosecutor for Women, which employed multidisciplinary staff, including prosecutors, social workers, psychologists and forensic specialists. The Office's protocols were in line with the principle of inclusion of persons with disabilities and were designed to provide protection and care for all, including the most vulnerable victims.

11. The Supreme Court's department for human rights monitored the State's respect for its obligations under international treaties and the incorporation of such obligations into the Court's rulings. Within the judicial branch, a judicial school offered initial and continuous training to civil servants, in line with the rulings and guidelines issued by the Supreme Court. The school was about to adopt a curriculum that would include training in comprehensive care for women victims of violence and information on the various human rights treaties, including the Convention, and on the Brasilia Regulations regarding Access to Justice for Vulnerable People and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women. Some of the issues proposed by

the Department for Children, Youth and Families for coverage in the training included disabilities, violence, environment, human trafficking, child abduction, the sex trade, migration and juvenile justice. The judicial branch had signed international agreements on ensuring access to justice for persons with disabilities and would work under the Brasilia Regulations to that end.

12. As part of its efforts to attend to the needs of vulnerable populations, the judicial branch was implementing a specific programme for vulnerable women in urban areas, including victims of human trafficking or sexual exploitation. Generally, victims had to deal with additional problems such as depression, suicidal tendencies or post-traumatic stress syndrome. Under the programme, they were given comprehensive assistance and specialized care to improve their mental and physical health, and their cases were followed up. In previous years, quantitative statistics had not been kept, but more detailed record-keeping had begun in 2017.

13. According to statistics from the national prison system, there were currently over 920 persons with disabilities in places of detention, including about 170 each with mobility, auditory or cognitive disabilities, nearly 400 with psychosocial disabilities, and 14 in psychiatric wards. That represented nearly 6 per cent of the overall prison population. Persons deprived of liberty had the right to receive visits and legal counsel. The number of lawyers providing such counsel had recently increased from 12 to 30. The legal advice was given promptly and with full respect for confidentiality. The right to health care of persons deprived of liberty was guaranteed in international and national standards. In 2015, medical facilities had been upgraded at one of the major prisons, thus greatly improving the care available for inmates. Newly built establishments were provided with appropriate facilities, medications and equipment to serve their populations under an agreement recently concluded between the various responsible government bodies, with the Honduran Red Cross acting as an observer.

14. The national mechanism for the prevention of torture regularly visited places of deprivation of liberty to ensure that inmates were not subjected to ill-treatment, and employees of the prison service were given training in methods of preventing torture and cruel or degrading treatment. In March 2016, a human rights protection unit had begun operating with the aim of carrying out national-level training in torture prevention for civil servants.

15. The Office of the National Commissioner for Human Rights had recently seen an increase in the number of complaints of human rights violations filed by persons with disabilities. Of those, over 60 per cent related to the right to life, personal safety, honour, dignity, family and the right to petition; employment, education, health care and social security accounted for another 20 per cent of cases, while the rest involved issues of access to justice, questions of due process or general advisory support.

16. **Ms. del Cid Andrade** (Honduras) said that students with disabilities, at all levels, benefited from the use of information and communication technologies that facilitated access to education. The Ministry of Education had launched two major programmes in that area, respectively for specialized centres and for inclusive education centres for persons with visual or auditory impairments. Technical cooperation was ensured with the National Resource Centre for Inclusive Education for Persons with Sight Impairments. The Ministry worked with numerous centres to enable them to use the latest software to promote learning and also to ensure that such software could be integrated not only at the specialized centres themselves, but subsequently elsewhere, including at mainstream schools.

17. In general, students graduating from grade 6 should be integrated into the regular education system. The Ministry inspected and validated the accommodation measures taken in schools, in cooperation with the national resource centre for inclusive education, and it was currently extending its activities to promote inclusive education nationwide. The Ministry was also working with the National Autonomous University of Honduras and had introduced certain modifications to software programs to better accommodate university students with visual impairments. It cooperated with libraries and institutions of higher learning to ensure that students with disabilities were able to carry out research and had access to basic documentation.

ddressing the questions raised about the Telethon, said
-based approach and that it was not the Government's
ystems for the protection of the interests of persons with
orted numerous organizations that provided services for
ular in fields such as rehabilitation, where government
Telethon had been set up in the 1980s, some 20 years
nvention, at a time when corporate responsibility was
. The annual revenue from the Telethon funded
,000 persons. The Government was not involved in the
but the organizers recognized the importance of the
d it into their work.

said that persons with disabilities were able to apply for
qual footing with other citizens, subject to the same
basis of a person's disability was considered an act of
been no complaints of disability-based discrimination in
2009, the National Bank for Agricultural Development
the Ministry of Labour and Social Security to establish
edium-sized enterprises run by persons with disabilities,
vantageous conditions and particularly low interest rates.

ovided that accessible seating must be made available
abilities, as well as older persons and pregnant or
w gave persons with disabilities the right to take public
e.

said that the Act on Equity and Comprehensive
isabilities established the procedures under which the
out the certification of disability. For that purpose, the
een drawn up by civil society organizations representing
nily members and institutions and centres involved in
her stakeholders. It was currently working on a new
ion process more closely with the provisions of the
g that a rights-based approach was employed.

risk prevention policy, priority was given to assisting
ers, pregnant women, older persons and persons with
re currently being developed and were expected to enter
7 for two specific groups: for persons with visual
ne system would make it possible to report incidents or
with hearing impairments, a digital reporting line would
se projects included persons with disabilities.

assistance for Honduran migrant workers who returned to
with disabilities as a result of industrial accidents, for
een established to assist with psychological and physical
services and medication, and would enter into effect in
founded on a rights-based approach and would directly
disabilities; 20 would benefit from assistance in the
re was at least one rehabilitation centre in each of the
tee had been established to provide support to migrant
them a source of stability, always with respect for their
years previously, the Government had established a
es, and the earmarking of part of the fund's resources for
ntly under consideration.

all persons with disabilities had the right to vote and be
re obstructed in exercising that right by physical barriers
ials in Braille. Was it possible under the electoral law for
lots with the assistance of a person of their choice? Were

any persons with disabilities deprived of their right to vote owing to deprivation or restriction of legal capacity?

25. **Mr. Lovászy** said that he would appreciate more information about affirmative action measures. For example, did the State party provide tax incentives to promote equal opportunities for persons with disabilities on the labour market, and, if so, how had such incentives influenced employment levels? Did the Government apply sanctions to companies that did not comply with the relevant legislation? While the State party's efforts to make information and communication technologies available to improve access to education for persons with disabilities were welcome, certain important elements, such as the associated curriculum plans, training activities, teaching personnel and infrastructure, were not yet adapted for use in individualized education. What kind of actions could address such shortcomings? He had heard that the annual budget for the subdirectorates responsible for education for persons with disabilities amounted to the equivalent of approximately €3,000. That would clearly be insufficient to effectively include children with disabilities in the mainstream education system.

26. **Mr. Ishikawa** asked what percentage of television programmes had closed captions, audio description or sign language interpretation and whether government and private websites were accessible to persons with disabilities. While he welcomed the adoption of the Honduran Sign Language Act, he would like to know more about plans for the development of the language; any future work should take place with the active involvement of deaf persons and their representative organizations. Lastly, there was evidently an urgent need to take administrative and financial steps to train sign language interpreters.

27. **Mr. Alsaif** said that it would be useful to have more detailed information on the measures taken to ensure the accessibility of health-care services and facilities and on how free access to medicines and supplies for persons with disabilities was guaranteed. He asked whether the rights of persons with disabilities had been incorporated into plans for the implementation of the Sustainable Development Goals.

28. **Mr. Basharu** asked whether health-care professionals were adequately trained and equipped to support women and girls with disabilities in the exercise of their reproductive rights. Referring to paragraph 267 of the State party's report (CRPD/C/HND/1), he asked what steps were being taken to raise awareness of the Convention among employers and what the sanctions were for failing to provide reasonable accommodation in the workplace. He wished to know what support was available to persons with disabilities, especially those from indigenous communities and those living in rural areas, to cover the additional costs deriving from their disability. He enquired whether the State party planned to amend the relevant provisions to ensure that all persons with disabilities could vote in secret, accompanied by the person of their choice. Lastly, he asked what measures were in place or envisaged to achieve the Sustainable Development Goals, especially target 17.17 on data.

29. **Mr. Pyaneandee** asked whether any research had been carried out on the economic benefits of inclusive education, to what extent the general population was aware of those benefits, whether the school curriculum was updated on an ongoing basis, what training was provided to help teachers handle the challenges of inclusive education and whether resources had been earmarked for the transition from the segregated to the inclusive system. It would be helpful to know which government body was the focal point for implementation of the Convention, what arrangements were in place for monitoring rights violations and what effective remedies were available to persons with disabilities in the event of a violation.

30. **Mr. Kabue** asked what the guiding principles of inclusive education were in the State party and how the Government intended to ensure that sign language interpretation was available for all students who required it. Given that rehabilitation services appeared to be provided mostly by NGOs, he wondered what interaction there was between those organizations and the Government. Organizations of persons with disabilities must be distinguished from organizations that provided services to that population group; in that regard, he wished to know with which type of organization the Government was working. It would also be interesting to know how persons with disabilities who had never worked

were able to support themselves as the only income support allowance available appeared to be a disability pension for former workers. For example, were they provided with housing and an income?

31. **Mr. Martin** asked whether voting information was provided in accessible formats, including easy-to-read, and whether it reached the people who needed it. Given that persons with intellectual disabilities tended to have shorter lifespans than others, he wished to know how such persons were treated by the health-care system.

32. **Mr. Buntan** said that the State party was to be commended for ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. Noting that the number of sign language interpreters was low despite the adoption of the Honduran Sign Language Act, he asked how the State party managed to provide services to deaf and deaf-blind students in higher education. He wished to know whether persons whose legal capacity was removed or restricted, especially those from indigenous communities, could take out life insurance and, if not, what steps were being taken to remedy the situation. Lastly, he enquired about plans to include persons with disabilities in government data collection efforts in order to ensure that they had access to public services and all possible forms of support on an equal basis with others.

33. **Mr. Rukhlediev**, recalling that the specialized university training programme for sign language interpreters had been halted years previously, asked how many interpreters there were, what kind and how many hours of training was available, whether interpreters were involved in the development of interpreter training and whether representatives of associations of deaf persons took part in the evaluation of interpreters-in-training. He also wished to know what learning assistance was provided to deaf-blind children. He asked what the Government was doing to develop the practice of sport among persons with disabilities and to ensure the accessibility of sports facilities. He invited the delegation to comment on the accessibility of museums and other cultural facilities and on efforts to encourage the cultural endeavours of persons with disabilities.

34. **Mr. Kim** Hyung Shik asked what the employment prospects of persons with disabilities were in the light of the fact that nearly 30 per cent had no education, what their average income was in comparison to the national average and whether there was any data on employment discrimination against them. It would be more useful to know the percentage of persons with disabilities in work rather than the absolute number. Referring to paragraph 261 of the report, he asked whether the Government collected its own data on employment or relied solely on NGO data. Lastly, he wished to know what body served as focal point for implementation of the Convention, as defined in article 33, and whether it was compliant with the Paris Principles.

35. **Mr. Babu**, noting the prevalence of HIV/AIDS in the State party, asked what measures were in place to ensure that persons with disabilities, especially women, girls and blind, deaf and deaf-blind persons, had access to prevention and treatment services at the local and national levels and whether they were defined as a most vulnerable group in relevant policies. To what extent were sexual and reproductive health programmes accessible to those categories of persons with disabilities?

36. **Mr. Ruskus** asked what State support was available for the families of children on the autism spectrum, whether there were early intervention centres and whether support continued to be provided when a child reached adulthood.

37. **Mr. Tatić** asked how the authorities ensured that entities receiving international aid took account of accessibility and disability. He wished to know whether support was available to wheelchair users at airports, to what extent transportation, hotels, cultural centres and recreational facilities were accessible and whether a website had been created to inform persons with disabilities of available services.

38. **Mr. You** Liang asked what sports activities were organized for persons with intellectual disabilities and whether the State party sent delegations to the Paralympic Games. He wished to know how the State party fostered and promoted the entrepreneurship of persons with disabilities and, thereby, their economic empowerment.

39. **Mr. Parra Dussan** asked how the State party intended to implement inclusive education given the lack of sign language interpreters and the recent closure of the model college serving students with disabilities, and whether it was true that the assistive devices required by persons with disabilities were not covered under the national health system. It would be interesting to know whether any businesses had been sanctioned for non-compliance with quotas on the employment of persons with disabilities. While the intention behind the disability vouchers provided under the "Honduras for All" programme was laudable, the approach should be more rights-based. He wondered how the State party would guarantee the participation of persons with disabilities in the general elections to be held later in 2017, in particular with regard to the accessibility of polling centres, the availability of ballots in Braille, the possibility of independent voting and the opportunity to run for office. He also wished to know what plans there were to increase involvement of persons with disabilities in the decisions of the Office of the National Commissioner for Human Rights. He asked when the next census would be and whether it would include questions on persons with disabilities. Lastly, he enquired what progress had been made in establishing an independent monitoring mechanism within the meaning of article 33 of the Convention.

40. **The Chair** stressed that compliance with article 12 involved more than removing pejorative language: the practice of substitute decision-making had to be abolished altogether. In addition, unless women with disabilities were specifically targeted by measures to combat sexual violence, relevant efforts would never reach them. Drawing the delegation's attention to the questions of the Washington Group on Disability Statistics, she suggested that they might guide the State party in incorporating disability issues in the next census.

The meeting was suspended at noon and resumed at 12.30 p.m.

41. **Ms. del Cid Andrade** (Honduras) said that the Government was working with various organizations to develop a concept of inclusive education, which would then be submitted for adoption by Congress in a decree amending the Education Act. The Government, in cooperation with the Ministry of Education and the congressional budget committee, was considering short-, medium- and long-term measures, including the establishment of a subdirectorate for inclusive education and the development of a strategic plan that incorporated Sustainable Development Goal 17, with a view to implementing inclusive education. Efforts were focused on six areas, namely access, efficiency, quality, management, competitiveness and participation. The current budget was 42.3 million lempiras.

42. The National Institute for Vocational Training had a sign language training programme, delivered by certified instructors, for public servants and employees of private companies providing services to the public, as well as for the population in general. The Ministry of Education was collaborating with the National Autonomous University on guidelines for the inclusion of persons with disabilities in higher education and on re-opening the sign language interpreter training programme. The closure of the model college was indeed regrettable because it had been an innovative establishment that provided education to many children with disabilities; the Ministry was looking into lessons learned and avenues of support for reviving the related project.

43. Two television channels provided sign language interpretation during various national broadcasts. There were plans to expand the National Resource Centre for Inclusive Education for Persons with Sight Impairments to cater to persons with other disabilities. There were also plans to transfer projects being developed by the University in areas such as mobility, registration and examination support and curriculum adaptation to the general education system. Lastly, efforts were under way to include sport for persons with disabilities as a vital component of learning and rehabilitation.

44. **Mr. Carranco** (Honduras) said that, under article 36 of the Act on Equity and Comprehensive Development for Persons with Disabilities, donations to public or private institutions working on disability issues and salaries paid to persons with disabilities were tax deductible. Pursuant to the new Labour Inspection Act, certificates of compliance with labour laws and occupational health and safety standards had been introduced, as well as

financial and other penalties to be imposed by inspectors. The Act addressed non-discrimination and provided for the establishment of a compliance monitoring mechanism.

45. The Ministry of Social Development and Inclusion had rolled out various initiatives on the labour inclusion of persons with disabilities. The initiatives were designed in consultation with organizations of persons with disabilities and included Empléate Plus, a platform containing the profiles of jobseekers. Over 1,350 persons with disabilities were currently registered and their files sorted by type of disability in accordance with the International Classification of Functioning, Disability and Health.

46. **Ms. Cerrato** (Honduras) said that the Government was developing a strategic plan on the implementation of the 2030 Agenda for Sustainable Development and, in that connection, had instructed all ministries to link their objectives with the Agenda. The Government, in consultation with various agencies, local governments, academics, the private sector, the media and regional and international partners, was preparing its first progress report for review at the high-level political forum on sustainable development in July 2017. Thus far, the authorities had selected the priority goals, defined the indicators and methodology to be used and considered planning, budgeting and monitoring issues. Data on persons with permanent disabilities collected through the latest census in 2013 and disaggregated by department, rural or urban setting and disability were available on the website of the National Statistics Institute.

47. **Ms. Aguilar** (Honduras) said that the Supreme Electoral Court had signed an agreement with organizations of persons with disabilities in 2009 that was renewable every four years. Pursuant to the 2013 agreement, a department had been set up to monitor respect for the political rights of persons with disabilities. Everyone involved in the organization of elections now received training in the right to participate of persons with disabilities. A working group on statistics had also been established to collect information on the persons with disabilities who exercised their right to vote in the 2017 general elections with a view to creating a database. Steps were being taken to make electoral messaging accessible and joint efforts with the Ministry of Education were under way to address the accessibility of polling centres. Regarding assisted voting, the assistant was always a trusted person chosen by the voter concerned.

48. Providing an overview of the heath-care system, she said government policy was that all households should be within two hours of a primary health-care facility. In 2016, the Ministry of Health had launched a public policy on sexual and reproductive health that promoted discrimination-free care, as well as a national strategy on gender and health designed to achieve an inclusive and fair health-care system. An inter-agency committee and a fund had been set up to address the treatment and prevention of disabilities resulting from the practice of scuba dive fishing, and the Ministry had developed a treatment protocol for persons with decompression sickness. The rehabilitation centre at San Felipe Hospital, with support from the "Honduras for All" programme, provided care and free orthotics and prosthetics to persons with disabilities. Services were provided whether a person was in transit or resided in Honduras.

49. **Ms. Alvarado** (Honduras), summarizing the lessons learned from the constructive dialogue with the Committee, said it was clear that Honduras needed to raise awareness among the population as a whole, to ensure accessibility in all spheres of life and to better coordinate government efforts if it was to achieve the full inclusion of persons with disabilities in society. The Government was committed to the 2030 Agenda for Sustainable Development, in particular Goal 11 on sustainable cities and communities, and understood the key role civil society could play in making that goal a reality. Notwithstanding the shortcomings of current efforts to realize the rights of persons with disabilities, the President had made the fulfilment of State obligations in that regard one of the top priorities of his administration.

The meeting rose at 1.05 p.m.